

# WIPO



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**SPECIAL UNION FOR THE INTERNATIONAL PATENT CLASSIFICATION  
(IPC UNION)**

**IPC REVISION WORKING GROUP**

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REQUESTS FOR REVISION OF THE INTERNATIONAL  
PATENT CLASSIFICATION (IPC)

*Document prepared by the Secretariat*

1. Annex I to this document contains an IPC revision request, submitted by Sweden, on IPC subclass B31B.
2. Annex II to this document provides comments, submitted by the United States of America, on the revision requests contained in document IPC/WG/11/2.
3. *The Working Group is invited to consider the revision request and the comments contained in Annexes I and II, respectively, to this document.*

[Annexes follow]

## ANNEX I

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# Swedish Patent and Registration Office

Request for revision of the IPC

May 26th, 2004

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## Request for revision of the IPC - the “unprinted” groups of B31B

### Background

B31B contains a unique solution, in which main groups 3/00 to 41/00 contain “un-official” subgroups that are permitted for use, but not printed in the paper version. These groups are identical to the subgroups of 1/00.

At the end of the previous revision period it was agreed that this problem should be solved, and if my memory is correct one office even volunteered to file a proposal. Since no proposal has been made, and since the problem will still be ugly and cause confusion in the advanced level, we would like to suggest a solution.

It appears from IBIS that the problem only affects the advanced level. Main group 1/00 is the only one which has any subgroups in the core level.

### History

In IPC1 - IPC3 (and in previous editions) the wording of the note describing the situation was:

- (2) **If any further subdivision of any of groups 3/00 to 41/00 becomes necessary, the new sub-groups to be provided will correspond exactly in wording and sub-group numbering to the relevant sub-groups of group 1/00.**

That was already a unique note, but its purpose was clear - it was purely an instruction to the predecessors of the Revision Working Group and had no impact on classification.

In IPC4 the notes were restructured and the current note was introduced:

- (3) **In groups 3/00 to 41/00, it is permitted to classify inventions in subgroups which have not been printed in the Classification. The subgroups which may be used for this purpose correspond exactly in wording, hierarchical position and subgroup numbering to the relevant subgroups of group 1/00. For example, a machinery specifically for folding sheets around mandrels could be classified either in group 9/26 (which is printed) or in group 9/28 (which is not printed).**

This is a highly problematic note, which leaves the classifier uncertain where to classify and the searcher uncertain where to search. The “unprinted” groups were not present in the IPC:CLASS version of IPC4.

In the IPC:CLASS version of IPC5, Note (3) was removed and all the “unprinted” groups were introduced - but not in the printed version, which still contained the note! Despite the removal of Note (3) the note in IPC:CLASS after the guidance heading before 3/00 still referred to it! This solution introduced a severe inconsistency between IPC:CLASS and the printed IPC.

In the IPC:CLASS version of IPC6, Note (3) was reintroduced, but the “unprinted” groups were still present. This made the inconsistency between the versions smaller, but it of course resulted in a note that lacks meaning for IPC:CLASS users. In the printed version the groups were still not printed. This is also the current situation.

### **The references in the /25 groups**

B31B also presents another, related, strange feature, which I suspect is an error. In IPC:CLASS all main groups have one-dot groups /25, with the titles:

#### **XX/25 . Surface scoring (cutting through material 1/14)**

These groups, which depend from group 1/25 (that was introduced in IPC2), are not present in the printed IPC, which contains all other one-dot groups. The existence of this reference in the “invisible” optional part of the scheme means that the scope of the main groups is not the same for paper users and IPC:CLASS users. However, it should be questioned whether the references should not in all cases point to group /14 of the same main group, which seems to make more sense.

One wonders whether the intention ever was to have group /25 in the other main groups. Presumably the intention was primarily to introduce the group in 1/00, which is the only main group where it has any significant population. The old note prescribes that subdivision of 3/00 - 41/00 should be based on the subdivision of 1/00, but the instructions said nothing about duplicating new subdivisions of 1/00 into the other main groups! The problem occurred when the “unprinted” groups were introduced into IPC:CLASS.

### **ECLA practice**

In ECLA the situation is clear, although perhaps not elegantly expressed. Some of the “unprinted” groups are used and some are not. Where they are used they are printed in the ECLA scheme. ECLA uses Note (3) as in IPC7, but has an additional note explaining the situation:

#### **[N: Note**

**In cases where non-printed groups are used according to Note 3 above, these groups are introduced (and printed) internally without making them with a “N”]**

Group /25 is not used in any main group except 1/00.

### **FI practice**

In FI the situation is less clear. The same note as in IPC7 is used, and where further non-IPC subdivisions of groups 3/00 - 41/00 are used they do not contradict it. However, all IPC groups are not printed in the scheme, which makes you question whether the note is operative or not. For example, in main group 3/00 the groups between 3/14 and 3/60 are not printed. Group /25 is used in most of the main groups.

### **How can the present arrangement be replaced by something useful?**

In the core level, where it anyway doesn’t apply, Note (3) should obviously not be used.

In the advanced level Note (3) should also be removed. The advanced level should only contain groups that are actually used. An initial approach could be the following:

“Unprinted” IPC groups that are used in both ECLA and FI should belong to the advanced level.

“Unprinted” IPC groups that are not used in either ECLA or FI should be deleted altogether.

“Unprinted” IPC groups that are used in one of ECLA or FI, but not in both, should be converted to ECLA or FI groups that can be used internally at the respective offices. This would require some renumbering of groups, but no intellectual reclassification work would be necessary.

**Are the references in the “/25” groups of main groups 3/00 to 41/00 correct?**

This has to be investigated and appropriate action taken. Our clear impression is that the references are incorrect, since each main group contains a “/14” group which covers “**cutting, e.g. perforating, punching, slitting, trimming**”, which is equivalent to “**cutting through material**” as mentioned in the references.

Anders Bruun

[Annex II follows]

## ANNEX II

USPTO COMMENTS	
<b>Proposed REVISION PROJECT EP, GB, and SE:</b>	<b>Date:</b> May 17, 2004

These comments are our initial response to the request for new revision projects to the core level of the Reformed IPC made by EP, GB, & SE.

**A01F** (SE, dated March 12, 2004)

While we agree that the current scope of the A01F subclass title is broader than that of its existing main groups, we do not believe that merely rewriting the subclass title is an effective way for improving advanced level search quality. The reason is that the proposed title does not necessarily take into consideration the actual placement of patent documents (EP, JP, and US) in the advanced level's Master Classification Database (MCD) for this subclass. Unless its scope identically matches the placement of documents within the MCD, the Revision WG is not improving the search and could mislead searchers.

An alternative approach that may be better is for SE to first write a subclass definition based on the existing title and search notes and, after this definition is approved, suggest a new subclass title that matches its scope. The only part of the definition that would need to be modified after correcting the title is that some references that were previously limiting could become of interest. This approach ensures an exhaustive review by all Offices of the appropriateness of the currently stated lines with other subclasses.

**A62D 3/00** (EP, dated April 26, 2004)

We support the proposed modification in the scope of this main group's title. The title and the scope of the patent documents classified within the advanced level group will now exactly correspond. This improves search quality.

**B21K 21/00** (GB, dated March 12, 2004)

We support GB's suggested rewording of this title to definitely exclude "hollow articles" that are properly within the scope of a single one of the main groups 1/00 – 19/00 from its scope. We note that only subgroup B21K 1/60 actually specifies an article that is required to be hollow. This main group is definitely intended to cover combinations consisting of subject matter that is proper for more than one of the groups 1/00 – 19/02. It might be clearer to reword the title suggested by GB to "---by any single one of the groups---" (see paragraph 58 of the Reformed IPC Guide). We believe this is the residual group only for making 'hollow type articles' per se that are otherwise proper for subclass B21K, but it is not residual for other articles (see B21K 23/00).

**B60L 7/00 and H02K 49/00** (GB, dated March 12, 2004)

This may not be a good Revision WG project to start at this time. Any changes made to titles to prevent an overlap in scope between 'electrodynamic' brakes and 'dynamo-electric brakes' could require significant document reclassification in the advanced level. If this seems to be the situation after initial investigation by the Revision WG, it would be better for the Revision WG to recommend to the Advanced level subcommittee that modification of the existing distinctions in this subject matter be investigated whenever additional advanced level work is justifiable for either of these main groups. The Revision WG should also recommend potential solutions to this problem to the Advanced level subcommittee. If the art appropriate for each main group is actually distinct from each other and the titles are merely confusing, the titles can be corrected by the Revision Working Group to clearly state appropriate lines.

**C11D 17/00** (GB, dated March 12, 2004)

We agree with GB that some Offices have probably classified soaps having a special shape in this main group. The title of C11D 17/08 seems to indicate that soaps having a special physical property have always been proper for this main group. The primary question, based on Reformed IPC Guide paragraphs 92, 96, and 97 and the reference to group C11D 13/14 in the main group title, is are shaped soap properly classified in group C11D 13/14 and not C11D 17/00? We think that this art may be divided because of the ambiguous titles in this subclass. GB's proposed solution will not solve this problem if this is true and a significant amount of art may need to be moved in the advanced level based on any solution. It would probably be better for the Revision WG to thoroughly investigate the classification of all patent documents claiming a shaped soap. If this art is indeed split between two or more main groups, the Revision WG should recommend potential solutions to this problem to the Advanced level subcommittee and they should investigate this problem whenever additional advanced level work is justifiable on any of the impacted main groups. If the art is all currently in main group C11D 17/00, then GB proposed project would be useful.

**D21H** (SE, dated March 12, 2004)

We support the deletion of groups D21H 17/71, D21H 17/72, D21H 17/73, and D21H 17/74 for the reasons stated by SE. However, we prefer the use of a single note stating the exact requirements of the last place rule as approved in the Reformed Guide and Guidelines. This will ensure a uniform and correct application of this rule for all situations.

**E01D** (GB, dated March 12, 2004)

We agree with GB that dismantling of bridges should be in this subclass. We think that creating a new main group specifically for this invention information would be a better solution than adding a second part to the title of main group E01D 22/00 to cover it. Alternatively, a residual main group could be created and this subject matter given as an example in its title since we do not have a large number of patent documents at this time.

**E01D 18/00** (GB, dated March 12, 2004)

We agree with GB that the spelling of “aquaducts” (we incorrectly assumed this was the unique British spelling) in the main group title should be changed to “aqueduct”.

**G01G 9/00 AND 19/00** (GB, dated March 12, 2004)

We agree with GB that there is probably overlap between these two main groups for residual invention information. In fact, one-dot groups G01G (19/52, 19/62, and 19/64) do not seem to be appropriate ‘special’ uses proper for main group G01G 19/00.

We think that art having a similar scope may be divided because of the ambiguous titles of these main groups in this subclass. A mere Revision project will not solve this problem since a significant amount of art will need to be moved in the advanced level. It would be useful for the Revision WG to exhaustively investigate the classification of all patent documents in these groups to see if specific trends in placement are obvious. If similar art is indeed split between the two main groups, the Revision WG should recommend potential solutions to this problem to the Advanced level subcommittee and they should investigate this problem whenever additional advanced level work is justifiable in either of the impacted main groups. If the art is not split, then the titles can be corrected by the Revision Working Group to state appropriate lines. Definitions for the two main groups would be useful.

[End of Annex II and of document]